



United States Department of the Interior

GEOLOGICAL SURVEY

P. O. Box 26124
Albuquerque, New Mexico 87125

Confidential Claim Retracted

Authorized by: SC

Date: 6/26/13

April 29, 1980

Memorandum

To: Files

From: Environmental Scientist, Albuquerque District, SCR

Subject: Preparation of Final Reclamation and Abandonment Plans
for the Anaconda Copper Company's Jackpile-Paguate Mine

The present recession in the uranium concentrate market has accelerated the time-table for abandonment of the subject mine complex. It now appears that open-pit mining at the site will end in 1981, and that underground mining will end in 1983. Upon the completion of mining, the leases automatically expire, but reclamation activities are expected to continue for several additional years.

The mine complex as a whole is not operating under an approved mining and reclamation plan, although several of the underground mines are operating under plans approved specific to their activities. Comprehensive plans covering the entire operation were submitted to the U. S. Geological Survey on February 25, 1977, and March 29, 1979, and a very detailed environmental assessment was prepared by this office. However, due to changes in the mining plan and to additional environmental concerns, these documents are now obsolete.

Therefore, it is imperative that a final reclamation and abandonment plan be designed, and all NEPA responsibilities be discharged as soon as possible.

At the request of this office, a meeting was held on April 24, 1980, at the Laguna Pueblo to set a procedure and a time-table for the preparation and adoption of a final reclamation plan. Attending the meeting were the following persons:

James W. Sutherland

Acting Conservation Manager,
South Central Region, USGS

Edward T. Sandell, Jr.

Acting Deputy Conservation
Manager - Mining, South Central
Region, USGS



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Marc Nelson	Environmental Scientist, Albuquerque District, South Central Region, USGS
Dale Jones	Mining Engineer, Albuquerque District, South Central Region, USGS
Harry Early	Governor, Laguna Pueblo
Les Taylor	Attorney, Laguna Pueblo
Ron Soliman	Staff Assistant, Laguna Pueblo
Robert Homer	2nd Lt. Governor, Laguna Pueblo
R. D. Sisk	Director, Environmental Analysis, Council of Energy Resources Tribes
John Blueyes	Reclamation Specialist, Council of Energy Resources Tribes
Greg Smith	Geologist, Bureau of Indian Affairs, Albuquerque Area
Paul Garding	Mining Engineer, Bureau of Indian Affairs, Albuquerque Area
Robert Lynn	Manager, New Mexico Operations, The Anaconda Copper Company
Meade Stirland	Manager, Environment and Safety, The Anaconda Copper Company
Mary O'Niel	Laguna Coordinator, The Anaconda Copper Company
Steve Foster	Attorney, The Anaconda Copper Company
Jeff Desauleds	Attorney, The Anaconda Copper Company
Earl Arlwin	Mining Engineer, The Anaconda Copper Company

It was decided that Anaconda would prepare a draft reclamation plan and submit it to the U. S. Geological Survey, Laguna Pueblo, BIA, and CERT for review. The reviewing parties would then individually prepare their recommendations for revision of the plan, and would submit them for consideration to all parties. Marc Nelson, Environmental Scientist, will be providing the environmental review for the U. S. Geological Survey, and Dale Jones, Mining Engineer, will be providing the engineering review for the U. S. Geological Survey. The Governor requested that the U. S. Geological Survey be the lead agency for this process, because we have final approval authority, have the most expertise, and have shown the most concern over the operation. The U. S. Geological Survey agreed.

After revision, the plan would be submitted with several alternatives to the Laguna Pueblo Council for negotiations with Anaconda, and eventual ratification. The reclamation plan would then be combined with a new mining plan which is nearly completed, and formally submitted to the U. S. Geological Survey. The time-table set for this process is as follows:

May 9:	Meeting between all concerned parties to design a format for the reclamation plan and to list the topics to be addressed.
July 1:	Anaconda submits draft plan to the U. S. Geological Survey, Laguna Pueblo, BIA, and CERT.
July 15:	Meeting between U. S. Geological Survey, Laguna Pueblo, BIA, and CERT to discuss draft reclamation plan.
August 1:	U. S. Geological Survey, BIA, and CERT submit recommended revisions to the Laguna Pueblo and Anaconda.
August 15:	Meeting between U. S. Geological Survey, Laguna Pueblo, Anaconda, BIA, and CERT to revise the plan.
	(Submission of plan with alternatives to the
	(Laguna Pueblo Council.
	(
	(Negotiations between Laguna Pueblo and
Dates	(Anaconda with U. S. Geological Survey, BIA,
	(and CERT supporting the Pueblo.
Undecided	(
	(Selection and ratification of plan by the
	(Laguna Pueblo.
	(
	(Submission of final plan to the U. S. Geological
	(Survey for approval.

All parties are committed to adherence to this time schedule and it may be possible to complete the entire process by late fall 1980.

There are two conditions which may complicate this process for the Survey. First, the Environmental Protection Agency's RECRA regulations will be issued on April 30, 1980, and will control the final disposition of Anaconda's waste piles. All Survey reclamation requirements must be designed around these regulations and may necessitate extensive coordination with the Environmental Protection Agency.

Secondly, it is very possible that Anaconda will have completed mining before the Survey can discharge its NEPA responsibilities and approve the plan. If this occurs, the mine would either lie idle, or Anaconda would continue with reclamation efforts without knowing the final reclamation requirements. The latter is the best alternative, but is not ideal, especially from Anaconda's point of view. It is imperative that the approval process proceed as rapidly as possible.

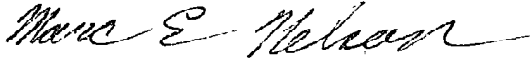
I believe that the Survey's approval of the reclamation plan will constitute a major Federal action significantly affecting the quality of the human environment in the sense of NEPA, Section 102(2)(C). This opinion is based on the following:

1. Due to potential problems with the radionuclei content of the surface material, waste pile slopes, and disposition of the highwalls, the post-mining land use of over 3,500 acres is in question. See 40 CFR 1508.27(b)(1).
2. Inadequate reclamation would have potentially serious public health impacts from increased concentrations of radionucleis' in the surface and ground waters, soils, vegetation, and the ambient atmosphere. See 40 CFR 1508.27(b)(2).
3. The health risks from low level radiation, as would be present at the reclaimed site, are not well understood. See 40 CFR 1508.27(b)(5).
4. This action represents the first large open-pit uranium mine reclaimed under the supervision of the Federal government, and the procedures adopted will set a precedence for future actions. See 40 CFR 1508.27(b)(6).

I recommend that a memorandum expressing the following ideas be sent to the Deputy Division Chief for Onshore Minerals Regulation:

1. An EIS will need to be prepared on the reclamation plan, and due to the serious time restraints of plan approval, the EIS process should be initiated immediately.
2. The Survey should be the lead agency because it most closely meets the requirements of 40 CFR 1501.5(c), and because the Governor of the Laguna Pueblo has so requested.
3. South Central Region personnel should be placed on the team, and should be responsible for its technical direction, to assure that the greatest emphasis is placed on the most important areas of concern.
4. The EIS should also address implementation of the RECRA regulations at the site, and thereby, bring the radiological expertise of the Environmental Protection Agency to the EIS team.

If it is determined that approval of the reclamation plan does not require an EIS, I request that the South Central Region be given funds to contract for radiological air quality and radiological ground water studies to supplement our environmental assessment.


Marc Nelson